

*SAC-CDR*

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Attorney Docket No. 2002645-0003

Certificate of Mailing: Date of Deposit 2-13-01

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Anne Barnes

Printed name of person mailing correspondence

Anne Barnes

Signature of person mailing correspondence

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Salt, et al.  
 Serial No. : 09/659,926  
 Filed : September 12, 2000  
 For : NUTRITIONAL SUPPLEMENTS CONTAINING  
 METHYLSelenocysteine

BOX MISSING PART  
 COMMISSIONER FOR PATENTS  
 WASHINGTON, D.C. 20231

Sir:

**TRANSMITTAL OF RESPONSE TO THE NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts of Application mailed by the U.S. Patent and Trademark Office on November 13, 2000, enclosed herewith are the following:

- 1) Copy of the Notice to File Missing Parts (2 pages);
- 2) Executed Declaration (3 documents, 9 pages);
- 3) Executed Verified Statement Claiming Small Entity Status (2 pages);
- 4) Appointment of Attorney (1 page);
- 5) Petition for a One Month Extension of Time (1 page);
- 6) Fee Transmittal (1 page);

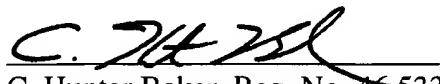
Serial No. 09/659,926



- 7) Check in the amount of \$967.00;
- 8) A return postcard.

Additionally, please charge any further fees associated with this filing or apply any credits to our Deposit Account No. 03-1721.

Respectfully submitted,



C. Hunter Baker, Reg. No. 46,533

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: February 13, 2001

Exchange 3223361\_1.DOC

FEB 15 2001

PTO/SB/17 (12/99)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$967.00)

## Complete if Known

Application Number	09/659,926
Filing Date	September 12, 2000
First Named Inventor	David Salt
Examiner Name	
Group / Art Unit	1761
Attorney Docket No.	2002645-0003

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number Deposit Account Name  Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.172.  Payment Enclosed: Check     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	690	201 345 Utility filing fee	355.00
106	310	206 155 Design filing fee	
107	480	207 240 Plant filing fee	
108	690	208 345 Reissue filing fee	
114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
48	-20** = 28	x 9	= 252
Independent Claims 9	-3** = 6	x 40	= 240
Multiple Dependent			= 0

\*\* or number previously paid, if greater; For Reissues, see below

## Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	78	202 39 Independent claims in excess of 3
104	260	204 130 Multiple dependent claim, if not paid
109	78	209 39 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 492.00)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	65.00
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	0.00
139	130	139 130 Non-English specification	0.00
147	2,520	147 2,520 For filing a request for reexamination	0.00
112	920*	112 920* Requesting publication of SIR prior to Examiner action	0.00
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	0.00
115	110	215 55 Extension for reply within first month	55.00
116	380	216 190 Extension for reply within second month	0.00
117	870	217 435 Extension for reply within third month	0.00
118	1,360	218 680 Extension for reply within fourth month	0.00
128	1,850	228 925 Extension for reply within fifth month	0.00
119	300	219 150 Notice of Appeal	0.00
120	300	220 150 Filing a brief in support of an appeal	0.00
121	260	221 130 Request for oral hearing	0.00
138	1,510	138 1,510 Petition to institute a public use proceeding	0.00
140	110	240 55 Petition to revive - unavoidable	0.00
141	1,210	241 605 Petition to revive - unintentional	0.00
142	1,210	242 605 Utility issue fee (or reissue)	0.00
143	430	243 215 Design issue fee	0.00
144	580	244 290 Plant issue fee	0.00
122	130	122 130 Petitions to the Commissioner	0.00
123	50	123 50 Petitions related to provisional applications	0.00
126	240	126 240 Submission of Information Disclosure Stmt	0.00
581	40	581 40 Recording each patent assignment per property (times number of properties)	0.00
146	690	246 345 Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149	690	249 345 For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify) _____			0.00
Other fee (specify) _____			0.00

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 120.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	C. Hunter Baker	Registration No. (Attorney/Agent)	46,533	Telephone	617-248-5000
Signature		Date	February 13, 2001		

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**UNITED STATES PATENT AND TRADEMARK OFFICE**

FEB 15 2001  
PATENTS & TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/659,926	09/12/2000	Burt D. Ensley	2002645-0003

**FORMALITIES LETTER**

Brenda Herschbach  
 Jarrell Choate Hall & Stewart  
 Exchange Place  
 53 State Street  
 Boston, MA 02109



\*OC000000005550050\*

Date Mailed: 11/13/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 345 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$408.
  - \$252 for 28 total claims over 20.
  - \$156 for 4 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- Small Entity Statement is unsigned.
  
- The balance due by applicant is \$ 818.

355.00	00
65.00	00
252.00	00
240.00	00

*A copy of this notice **MUST** be returned with the reply.*

*C. Moesl*  
 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

02/20/2001 REJECTION 00000130 0965926

FC:201	FC:205
FC:203	FC:202

PART 2 - COPY TO BE RETURNED WITH RESPONSE